

NORTH AMERICAN WETLANDS CONSERVATION
EXTENSION ACT

NOVEMBER 13, 2019.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 925]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 925) to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 925 is to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024.

BACKGROUND AND NEED FOR LEGISLATION

The North American Wetlands Conservation Act (NAWCA) is a partnership-based program that leverages non-federal funds to protect and restore wetlands and associated habitats.¹ NAWCA is one of the most cost-effective conservation programs: each federal dollar invested in NAWCA over the program's lifetime has been matched by more than three dollars from non-federal partners at the local

¹ Pub. L. No. 101-233, 103 Stat. 1968 (1989).

and state level, including corporations, private landowners, and non-profits.²

This bill would reauthorize NAWCA for five years at \$60 million per year. The authorization for NAWCA expired at the end of FY 2012, but appropriators have continued to fund the program annually, most recently at \$42 million for fiscal year 2019.

COMMITTEE ACTION

H.R. 925 was introduced on January 30, 2019, by Representative Mike Thompson (D-CA). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Oceans, and Wildlife. On September 24, 2019, the Subcommittee held a hearing on the bill. On September 25, 2019, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered, and the bill was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 26 yeas and 9 nays, as follows:

²See *North American Wetlands Conservation Act*, U.S. FISH & WILDLIFE SERV., <https://www.fws.gov/birds/grants/north-american-wetland-conservation-act.php> (last updated Sept. 17, 2019).

Date: September 25, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 925

Amendment:

Disposition: Final Passage: H.R. 925 was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 26 yeas and 9 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD	X		
2	Mr. Cartwright, PA	X		
3	Mr. Case, HI	X		
4	Mr. Clay, MO			
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC	X		
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI	X		
10	Mr. Gallego, AZ	X		
11	Mr. Grijalva, AZ (Chair)	X		
12	Ms. Haaland, NM	X		
13	Mr. Horsford, NV			
14	Mr. Huffman, CA	X		
15	Mr. Levin, CA	X		
16	Mr. Lowenthal, CA	X		
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA	X		
19	Mr. Neguse, CO	X		
20	Mr. Sablan, CNMI	X		
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL	X		
23	Mr. Van Drew, NJ	X		
24	Mr. Tonko, NY	X		
25	Ms. Velázquez, NY	X		
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT (Ranking)		X	
2	Ms. Cheney, WY			
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT		X	
5	Mr. Fulcher, ID		X	
6	Mr. Gohmert, TX		X	
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ		X	
9	Mr. Graves, LA			
10	Mr. Herr, OK		X	
11	Mr. Hice, GA		X	
12	Mr. Johnson, LA	X		
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA		X	
15	Mrs. Radewagen, AS			
16	Mr. Webster, FL		X	
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA	X		
19	Mr. Young, AK			
	TOTALS	26	9	
	Total: 44 / Quorum: 15 / Report: 23	YEAS	NAYS	PRESENT

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearings were used to develop or consider H.R. 925: (1) legislative hearing by the Subcommittee on Water, Oceans, and Wildlife on H.R. 1326, the “Authorizing Critical Conservation and Enabling Sportsmen and Sportswomen” Act or “ACCESS” Act, which includes a provision to reauthorize the North American Wetlands Conservation Act, held on March 26, 2019; and (2) legislative hearing by the Subcommittee on Water, Oceans, and Wildlife on H.R. 925 held on September 24, 2019.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 30, 2019.

Hon. RAÚL M. GRIJALVA,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 925, the North American Wetlands Conservation Extension Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

MARK P. HADLEY
(For Phillip L. Swagel, Director).

Enclosure.

H.R. 925, North American Wetlands Conservation Extension Act			
As ordered reported by the House Committee on Natural Resources on September 25, 2019			
By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	15	195	300
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 925 would authorize the appropriation of \$60 million annually over the 2020–2024 period for the U.S. Fish and Wildlife Service (USFWS) to carry out the North American Wetlands Conservation Act. Under that act, USFWS awards competitive grants for projects to conserve wetlands in the United States, Canada, and Mexico. In 2019, the agency received an appropriation of \$42 million to carry out those activities.

Assuming appropriation of the authorized amounts, and based on historical spending patterns for the program, CBO estimates that implementing H.R. 925 would cost \$195 million over the 2020–2024 period and \$105 million after 2024.

The costs of the legislation (detailed in Table 1) fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 925

	By fiscal year, millions of dollars—												2020–2024	2020–2029
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029				
	INCREASES IN SPENDING SUBJECT TO APPROPRIATION													
Authorization	60	60	60	60	60	0	0	0	0	0	0	0	300	300
Estimated Outlays	15	30	42	51	57	45	30	18	9	3	195	300		

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e),

9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

This bill contains no unfunded mandates.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139. The North American Wetlands Conservation Fund (CFDA No. 15.623) authorized by this bill is related and complementary to, but not duplicative of, the following programs identified in the most recent Catalog of Federal Domestic Assistance published pursuant to 31 U.S.C. 6104: Sport Fish Restoration (CFDA No. 15.605); Wildlife Restoration and Basic Hunter Education (CFDA No. 15.611); Coastal Wetlands Planning, Protection and Restoration (CFDA No. 15.614); and Neotropical Migratory Bird Conservation (CFDA No. 15.635).

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

NORTH AMERICAN WETLANDS CONSERVATION ACT

* * * * *

SEC. 7. AMOUNTS AVAILABLE TO CARRY OUT THIS ACT.

(a) AID IN WILDLIFE RESTORATION.—[Paragraphs (1) and (2) amends another Act—omitted]

(3) The amendments made by this subsection of this Act take effect October 1, 1989.

(b) MIGRATORY BIRD FINES, PENALTIES, FORFEITURES.—The sums received under section 6 of the Migratory Bird Treaty Act (16 U.S.C. 707) as penalties or fines, or from forfeitures of property are authorized to be appropriated to the Department of the Interior for

purposes of allocation under section 8 of this Act. This subsection shall not be construed to require the sale of instrumentalities.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts made available under subsections (a) and (b) of this section, there are authorized to be appropriated to the Department of the Interior for purposes of allocation under section 8 of this Act [not to exceed—

[(1) \$55,000,000 for fiscal year 2003;

[(2) \$60,000,000 for fiscal year 2004;

[(3) \$65,000,000 for fiscal year 2005;

[(4) \$70,000,000 for fiscal year 2006; and

[(5) \$75,000,000 for each of fiscal years 2008 through 2012.]

not to exceed \$60,000,000 for each of fiscal years 2020 through 2024.

(d) AVAILABILITY OF FUNDS.—Sums made available under this section shall be available until expended.

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SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.

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